

Attorney Docket No.: 60063-0028

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Scott Banister, et al.

Confirmation No.: 6992

Application No.: 10/717,441

Group Art Unit: 2681

Filed: November 18, 2003

Examiner: NYA

Title: ELECTRONIC MESSAGE DELIVERY
WITH ESTIMATION APPROACHES

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(f). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

(X) Executed Declaration and Power of Attorney. The above-identified application is the same application which the inventors executed by signing the enclosed declaration. *Two of three named inventors signed the Declaration and Power of Attorney. A Petition to Accept Application under 37 CFR 1.47(a) is filed concurrently herewith.*

(X) Statutory basic filing fee (X) Utility--\$770.00 () Design

(X) Additional claim fees of \$2,260.00

(X) Missing Parts Surcharge = \$130.00

(X) An Extension of Time for reply to Notice of Missing Parts is hereby requested and the below checked fee is enclosed.

() one month = \$110.00

() two months = \$420.00

() three months = \$950.00

(X) four months = \$1,480.00

(X) A Petition to Accept Application Under 37 C.F.R. §1.47(a) fee = \$130.00

08/17/2004 MAHME1 00000067 10717441

07 FC:1254

1480.00 OP


BANISTER, Ser. No. 10/717,441, GAU 2173, Examiner Not Yet Assigned
RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

A law firm check for \$4,770.00 is enclosed. If the fee is missing or insufficient in whole or in part, and throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: August 12, 2004

Typed Name: Teresa Austin

Signature: 

Respectfully submitted,

By 

Christopher J. Palermo

Reg. No. 42,056

Date: August 12, 2004

Telephone No.: (408) 414-1080x202

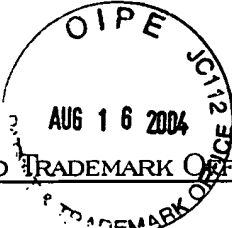
Hickman Palermo Truong & Becker LLP

1600 Willow Street

San Jose, California 95125-5106



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/717,441	11/18/2003	Scott Banister	60063-0028

CONFIRMATION NO. 6992

29989
 HICKMAN PALERMO TRUONG & BECKER, LLP
 1600 WILLOW STREET
 SAN JOSE, CA 95125

FORMALITIES LETTER



OC000000011916880

Date Mailed: 02/19/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1130 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1580 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$1130

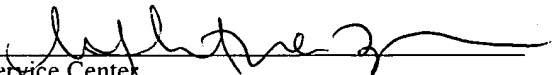
08/17/2004 MAHMED1 00000067 10717441

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1201	602.00 OP
04 FC:1202	1368.00 OP
05 FC:1203	290.00 OP

- \$301 for 7 independent claims over 3.
- \$684 for 76 total claims over 20.
- \$145 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE